

A RESOLUTION**BY: COUNCILMEMBERS H. LAMAR WILLIS AND JIM MADDOX**

A RESOLUTION PROPOSING THE CREATION OF THE SOUTHWEST ATLANTA COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT, CONTINGENT UPON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

WHEREAS, by Act of the Legislature, 1991 Ga. L. 3653, as amended, (hereinafter referred to herein as the "Act"), the Georgia Legislature enacted the Atlanta Community Improvement District Act; and

WHEREAS, it is the intention of the Atlanta City Council, by activation of "Southwest Atlanta Community Improvement District", to enhance and supplement certain governmental services and facilities within said district; and

WHEREAS, the Atlanta City Council has determined that the activation of such Community Improvement District ("CID") would be in the best interest of the citizens of Atlanta;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA that the City of Atlanta proposes the creation of the Southwest Atlanta Community Improvement District to be comprised of the geographical area as shown on the map attached as Exhibit "A", for the provision of the following governmental services and facilities:

Public safety, including but not limited to additional security services in areas to be determined by the CID Board;

Construction and maintenance of local, collector and arterial streets as shown on the city's street classification map or as otherwise included in the city's street classification map or as otherwise included in the city's most recently adopted Comprehensive Development Plan, including curbs, sidewalks, street lights and devices to control the flow of traffic on local, collector and arterial streets;

Such other services and facilities as may be provided for by general law.

BE IT FURTHER RESOLVED that any projects and activities which may be undertaken by the CID will be governed by such conditions as will insure their compatibility with adopted City policies in planning for the area;

BE IT FURTHER RESOLVED that the approval of this CID is contingent upon the written consent to the creation of the CID with the boundaries identified herein by a majority of

the owners of commercial real property within the proposed district, as shown on the map attached hereto and incorporated herein by this reference, which will be subject to taxes, fees and assessments levied by the CID Board;

BE IT FURTHER RESOLVED that the owners of commercial real property within the proposed CID which constitute at least 75% by value of all commercial real property within said CID will subject themselves to taxes, fees and assessments levied by the CID Board, according to the most recent approved County ad valorem tax digest;

BE IT FURTHER RESOLVED that upon obtaining the requisite written consent, the Fulton County Tax Commissioner shall certify that the aforesaid majority and 75% by value of written consents is satisfactory and will present said Certification of Compliance to be attached to this Resolution as an Exhibit.

BE IT FURTHER RESOLVED that upon obtaining the requisite written consent and the certification of the same by the Fulton County Tax Commissioner, a caucus of electors, as defined by the Act, be held within sixty (60) days of receipt of said requisite written consent and certification at a place to be agreed upon for the purpose of electing CID Board Members.

BE IT FINALLY RESOLVED that after the proposed Southwest Atlanta Community Improvement District is approved, the Mayor be and is hereby authorized to enter into a Cooperation Agreement with the CID Board to allow for the provision of services and facilities as provided under the Act which shall not be binding on the City and the City shall incur no liability upon the same until execution by the Mayor and delivery to the CID Board.